

First Published in the Wichita Eagle on March 30, 2012

RESOLUTION NO. 12-070

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING THE IMPROVEMENT OF **WATER DISTRIBUTION SYSTEM NUMBER 448-90549 (SOUTH OF 21ST ST. NORTH, WEST OF MAIZE)** IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF IMPROVING **WATER DISTRIBUTION SYSTEM NUMBER 448-90549 (SOUTH OF 21ST ST. NORTH, WEST OF MAIZE)** IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to improve **Water Distribution System Number 448-90549 (south of 21st St. North, west of Maize)**.

SECTION 2. That the cost of said improvements provided for in Section 1 hereof is estimated to be **Twenty-Two Thousand Dollars (\$22,000)** exclusive of the cost of interest on borrowed money, with **100** percent payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after **February 1, 2012**, exclusive of the costs of temporary financing.

SECTION 3. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

TRACT A

That part of NE 1/4 Section 7, Township 27 South, Range 1 West of the 6th P.M. Sedgwick County, Kansas described as beginning at the SW corner of Lot 4, Pearson Farms 3rd Addition to Wichita Sedgwick County, Kansas; thence N01°21'21"E, 154.65 feet; thence N87°23'34"E, 140.04 feet; thence S01°26'35"E, 85.76 feet; thence S88°28'51"W, 3.58 feet; thence S01°32'49"E, 38.50 feet to the south line of Lot 4, Pearson Farms 3rd Addition; thence S88°32'49"E, 38.50 feet to the south line of Lot 4, Pearson Farms 3rd Addition; thence S88°28'51"W, 33.24 feet along the south line of said Lot 4; then S01°31'09"E, 30.00 feet to the south line of Lot 4, Pearson Farms 3rd Addition; thence S88°28'51"W, 110.88 feet along the south line of Lot 4, Pearson Farms 3rd Addition to the point of beginning

Said tract contains 20,961 square feet more or less

SECTION 4. That the method of apportioning all costs of said improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a **fractional** basis.

That the method of assessment of all costs of the improvement district for which the improvement district shall be liable shall be on a fractional basis: **TRACT A** shall pay 100/100 of the improvement cost.

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 5. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 6. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 7. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq., as amended.

SECTION 8. Be it further resolved that the above described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

PASSED by the governing body of the City of Wichita, Kansas, this 27th day of March, 2012.

CARL BREWER, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)

APPROVED AS TO FORM:

GARY E. REBENSTORF,
DIRECTOR OF LAW